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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John Shanklin, et al. Confirmation No.: 2640
Serial No.: 10/017,145 Group Art Unit: 1652
Filed: December 14, 2001 Examiner: T. Saidha
For: **MUTANT FATTY ACID DESATURASE AND METHODS
FOR DIRECTED MUTAGENESIS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

**REQUEST FOR EXCUSAL OF ERRONEOUS PAYMENT
OF SMALL ENTITY FEES UNDER CFR §1.28(C)**

Sir:

The above-identified patent application and patent issuing therefrom were licensed to a Large Entity for the period of May 5, 2003 through February 11, 2005. Several of the fees in the application and maintenance fees were erroneously paid as a Small Entity at that time. Applicants are requesting an excusal of the fees paid in error. In accordance with the requirements of §1.28(c)(2)(ii)(A-D), details regarding the erroneous fees are set forth beginning on the following page.

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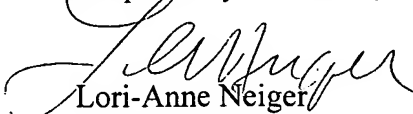
| Fee Type | Date Paid | Small Entity Fee Paid | Current Fee for Large Entity | Deficiency Owed |
|--|----------------|-----------------------|------------------------------|-----------------|
| <u>Amendment</u> With two months extension | August 7, 2003 | 205 | 460 | 255 |
| <u>Amendment</u> with three months extension terminal disclaimer Notice of Appeal | April 9, 2004 | 475 55 165 | 1050 130 510 | 995 |
| <u>Assignment</u> | May 6, 2004 | 40 | 40 | 0 |
| Total Deficiency Owed | | | | 1250.00 |

Pursuant to CFR §1.28(c)(2), a check in the amount of \$1250.00 covering the total deficiency in fees is enclosed.

Applicants submit that they have complied with the requirements of CFR §1.28(c)(1) and (2) and request that the erroneous payment of small entity fees be excused.

If any additional fees are required, the United States Patent and Trademark Office is hereby authorized to charge Deposit Account No. 02-3977 for such a fee. A duplicate copy of this paper is enclosed.

Respectfully submitted,


Lori-Anne Neiger
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Date:

12/31/07

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